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APPLICATION NO.	FI	LING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/808,755	03/25/2004		Jeffrey B. Fogel	1299-2	5871
28249	7590	11/02/2006		EXAMINER	
DILWORT 333 EARLE		RRESE, LLP	FETSUGA, ROBERT M		
UNIONDAL				ART UNIT	PAPER NUMBER
				3751	

DATE MAILED: 11/02/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

•	•						
	Application No.	Applicant(s)					
	10/808,755	FOGEL, JEFFREY B.					
Notice of Abandonment	Examiner	Art Unit					
	Robert M. Fetsuga	3751					
The MAILING DATE of this communication a		· · · · · · · · · · · · · · · · · · ·					
This application is abandoned in view of:							
I. ⊠ Applicant's failure to timely file a proper reply to the Off	ice letter mailed on 03 March 2006						
(a) ☐ A reply was received on (with a Certificate of period for reply (including a total extension of time of	f Mailing or Transmission dated						
(b) A proposed reply was received on, but it does not constitute a proper reply under 37 CFR 1.113 (a) to the final rejection.							
(A proper reply under 37 CFR 1.113 to a final rejection consists only of: (1) a timely filed amendment which places the application in condition for allowance; (2) a timely filed Notice of Appeal (with appeal fee); or (3) a timely filed Request for Continued Examination (RCE) in compliance with 37 CFR 1.114).							
(c) A reply was received on but it does not constitute a proper reply, or a bona fide attempt at a proper reply, to the non-final rejection. See 37 CFR 1.85(a) and 1.111. (See explanation in box 7 below).							
(d) ⊠ No reply has been received.							
2. Applicant's failure to timely pay the required issue fee and publication fee, if applicable, within the statutory period of three months from the mailing date of the Notice of Allowance (PTOL-85).							
(a) The issue fee and publication fee, if applicable, was received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the statutory period for payment of the issue fee (and publication fee) set in the Notice of Allowance (PTOL-85).							
(b) The submitted fee of \$ is insufficient. A balance of \$ is due.							
The issue fee required by 37 CFR 1.18 is \$ The publication fee, if required by 37 CFR 1.18(d), is \$							
(c) ☐ The issue fee and publication fee, if applicable, has not been received.							
3. Applicant's failure to timely file corrected drawings as required by, and within the three-month period set in, the Notice of Allowability (PTO-37).							
(a) Proposed corrected drawings were received on (with a Certificate of Mailing or Transmission dated), which is after the expiration of the period for reply.							
(b) \(\sum \) No corrected drawings have been received.							
The letter of express abandonment which is signed by the applicants.	the attorney or agent of record, the as	signee of the entire interest, or all of					
5. The letter of express abandonment which is signed by 1.34(a)) upon the filing of a continuing application.	an attorney or agent (acting in a repre	sentative capacity under 37 CFR					
☐ The decision by the Board of Patent Appeals and Interference rendered on and because the period for seeking court review of the decision has expired and there are no allowed claims.							
7. 🔲 The reason(s) below:							
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	γ	but mit					

Robert M. Fetsuga Primary Examiner Art Unit: 3751

Petitions to revive under 37 CFR 1.137(a) or (b), or requests to withdraw the holding of abandonment under 37 CFR 1.181, should be promptly filed to minimize any negative effects on patent term.

U.S. Patent and Trademark Office
PTOL-1432 (Rev. 04-01)

Notice of Abandonment

Part of Paper No. 20061026